

House Bill 1406

By: Representatives Murphy of the 120th, Barnard of the 166th, Thomas of the 100th, Williams of the 165th, and Howard of the 121st

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to specific educational programs, so as to provide a short title; to provide
3 definitions; to require a recruiter of student-athletes residing in Georgia to provide
4 student-athletes with certain information relating to the institution's athletic program within
5 one week of initiating personal contact with the student-athlete; to require any scholarship
6 offer to be made in writing within one week of a verbal offer and prior to a student-athlete
7 signing an athletic scholarship agreement with an institution of postsecondary education; to
8 require the written agreement to include specified information relating to the institution's
9 athletic program; to provide for related matters; to provide for an effective date; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 This Act shall be known and may be cited as the "Student-Athletes Right to Know Act of
14 2010."

15 **SECTION 2.**

16 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
17 relating to specific educational programs, is amended by adding a new Code section to read
18 as follows:

19 "20-2-317.1.

20 (a) As used in this Code section, the term:

21 (1) 'Person' means an individual, corporation, business trust, estate, trust, partnership,
22 limited liability company, association, joint venture, firm, or any other legal or
23 commercial entity.

24 (2) 'Recruiter' means a person who attempts to induce, encourage, or reward a
25 student-athlete's application, enrollment, or attendance at a public or private institution

of postsecondary education in order to have the student-athlete participate in intercollegiate sporting events, contests, exhibitions, or programs at that institution.

(3) 'Student-athlete' means a student at any public or private institution of postsecondary education in this state or a student residing in this state who has applied, is eligible to apply, or may be eligible to apply in the future to a public or private institution of postsecondary education who engages in, is eligible to engage in, or may be eligible to engage in any intercollegiate sporting event, contest, exhibition, or program.

(b) Beginning on and after January 1, 2011, within one week of any personal contact with a student-athlete for purposes of recruiting the student athlete for an interscholastic athletic program at an institution of postsecondary education, a recruiter shall provide in writing to the student-athlete all of the following information:

(1) A description of the medical insurance policies that affect student-athletes, including, but not limited to, terms of eligibility for medical insurance coverage; covered conditions and events; medical insurance premiums, copayments, deductibles, and maximum benefits; and the process for obtaining independent medical opinions;

(2) The total sum of medical payments, including, but not limited to, deductibles and copayments, that the institution of postsecondary education did not pay for sports related injuries incurred by members of each athletic team in each of the previous four years;

(3) Any scheduling conflict between the mandatory classes in majors offered at the institution of postsecondary education and the schedule of the athletic team for which the student athlete is being recruited, as well as the athletic program's policy for how the conflict would be resolved;

(4) The number of student-athletes in each academic major;

(5) The number of student-athletes who changed majors and the names of their original majors;

(6) Each athletic team's policy concerning the criteria for the renewal or nonrenewal of an athletic scholarship, including circumstances in which a student athlete suffers a temporary or permanent sports related injury, there is a coaching change, or a student-athlete's athletic performance is deemed to be below expectations;

(7) The average percent of decrease in the dollar amount of a renewed one-year athletic scholarship for a temporarily injured and a permanently injured student-athlete on each athletic team for the previous four years;

(8) The number and percentage of student-athletes on each athletic team whose scholarships were not renewed in each of the previous four years;

(9) The number of and rate at which student-athletes with remaining athletic eligibility did not return to each athletic team in the previous four years;

(10) The number of and rate at which student-athletes from any athletic team with remaining athletic eligibility transferred to another school;

(11) The number of student-athletes from any athletic team who were denied an intercollegiate transfer request in the previous four years;

(12) The average length of time it took to grant an intercollegiate transfer request for any student-athlete from any athletic team in the previous four years;

(13) The sum of expenses included in the cost of attending the institution of postsecondary education that are not included in a full grant-in-aid athletic scholarship for the current year and the previous three years;

(14) A summary of the intercollegiate athletic program's use of funds that may be used toward assisting student-athletes with expenses that are not included in a full grant-in-aid scholarship;

(15) The average monthly payment received for an on-campus and off-campus full scholarship student-athlete enrolled in classes in each sport during the regular academic and summer sessions in each of the previous four years;

(16) The results of an anonymous annual student-athlete survey concerning student-athletes' opinions about the safety of their workout environment, their academic support, and their coaches;

(17) The number of rescinded written scholarship offers for each athletic team in each of the previous four years;

(18) Institutional policies that may restrict the athletic eligibility of a student-athlete who wishes to transfer to another institution of postsecondary education; and

(19) The number of full-scholarship student-athletes on each athletic team who enrolled in summer school in each of the previous four years.

(c) Beginning on or after January 1, 2011, any scholarship offer shall be made in writing within one week of a verbal offer and prior to a student-athlete signing an athletic scholarship agreement with an institution of postsecondary education. The written offer shall include all of the following information:

(1) Any specific academic qualifications that will guarantee the student-athlete's enrollment in the institution of postsecondary education;

(2) A description of the medical insurance policies that will affect the student-athlete, including, but not limited to, terms of eligibility for medical insurance coverage; covered conditions and events; medical insurance premiums, copayments, deductibles, and maximum benefits; and the process for obtaining independent medical opinions;

(3) Each athletic team's policy concerning the criteria for the renewal or nonrenewal of an athletic scholarship, including circumstances in which a student-athlete suffers a

temporary or permanent sports related injury, there is a coaching change, or a student athlete's athletic performance is deemed to be below expectations;

(4) The number and percentage of student-athletes on each athletic team whose scholarship was not renewed in each of the previous four years;

(5) Which expenses, if any, will be paid for by an athletic grant or scholarship, including summer school expenses;

(6) Expense items included in the cost of attendance that will not be paid for by the institution of postsecondary education including summer school expenses;

(7) A summary of the intercollegiate athletic program's use of funds that may be used toward assisting student-athletes with expenses that are not included in a full grant-in-aid athletic scholarship;

(8) Which, if any, meals the intercollegiate athletic program regularly makes available during the regular academic year and during the summer;

(9) The average monthly deduction, if any, that is deducted from a full-scholarship student-athlete's payment to pay for meals that the intercollegiate athletic program regularly makes available during the regular academic year;

(10) The terms and the amount of any death benefit provided by the institution of postsecondary education in case of sports related death; and

(11) Whether or not an athletic scholarship offer will expire.

(d) Nothing in this Code section shall be construed to require a institution of postsecondary education to revise athletic scholarship contracts entered into prior to January 1, 2011."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.